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6 *Attorneys for Defendants Countrywide Home Loans*  
*Inc., ReconTrust Company, N.A., Countrywide*  
7 *Financial Corp., MERS, Bank of America Corporation,*  
8 *N.A., and Merscorp, Inc.*

9 UNITED STATES DISTRICT COURT  
10 FOR THE DISTRICT OF NEVADA

11 SABRINA M. CAFFEE,

Case: 3:09-cv-00641-PMP-VPC

12 Plaintiff,

13 vs.

14 FIRST NATIONAL BANK OF NEVADA, a  
National Bank Association; BRIGITTE  
15 AMOUROUX, individually; SONJA  
WILLIMS, individually; COUNTRYWIDE  
16 HOME LOANS, INC., a New York  
corporation; COUNTRYWIDE FINANCIAL  
17 CORP., a Delaware corporation; MERSCORP,  
INC., a Virginia corporation; MORTGAGE  
18 ELECTRONIC REGISTRATION SYSTEMS,  
INC., a subsidiary of MERSCORP, INC., a  
19 Delaware corporation [MERS]; BANK OF  
20 AMERICA CORPORATION, N.A.;  
RECONTRUST COMPANY, N.A.; et al.,

21 Defendants.

**Order**

22 On May 19, 2011, Defendants Countrywide Home Loans, Inc., ReconTrust Company,  
23 N.A. ("ReconTrust"), Countrywide Financial Corp., Mortgage Electronic Registration Systems,  
24 Inc. ("MERS"), Bank of America, N.A. (erroneously named "Bank of America Corporation,  
25 N.A.") and Merscorp, Inc. (collectively, "Defendants"), filed a Motion to Dismiss Plaintiff's First  
26 Amended Complaint ("Motion").

27 A telephonic hearing was conducted on September 6, 2005; following a review of the  
28 pleadings and after consideration of the arguments of counsel;

1 IT IS HEREBY ORDERED that Defendants' Motion to Dismiss Plaintiff's First Amended  
2 Complaint [Dkt. #48] is granted, with prejudice; and


3 The Court further finds that Plaintiff recorded a Notice of Pendency of Action ("Lis  
4 Pendens") on or about September 23, 2009 in the real property records maintained by the Lyon  
5 County Recorder, identified as APN# 022-161-09. A copy of the Lis Pendens is attached hereto  
6 as Exhibit "A."

7 UPON CONSIDERATION of Defendants' request to cancel the Lis Pendens, and good  
8 cause appearing therefore, the Court hereby grants Defendants their requested relief and rules as  
9 follows:

10 1. IT IS ORDERED, ADJUDGED, and DECREED that the Lis Pendens is hereby  
11 cancelled, released, and expunged.

12 2. IT IS FURTHER ORDERED, ADJUDGED and DECREED that this order  
13 canceling the Lis Pendens has the same effect as an expungement of the original Lis Pendens.

14 3. IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendants  
15 record a properly certified copy of this cancellation order in the real property records of Lyon  
16 County, Nevada within a reasonable amount of time from the date of this order's issue.

17  
18   
19 U.S. DISTRICT COURT JUDGE  
20 DATED: September 14, 2011.

21 Respectfully submitted by:

22 LEWIS AND ROCA LLP

23  
24 By   
25 J. CHRISTOPHER JORGENSEN, ESQ.  
26 Attorneys for Defendants  
27  
28

## EXHIBIT A

APN# 022-161-49

**Recording Requested by:**

Name LAW OFFICE RICK LAWTON

Address 5435 Reno Hwy

City/State/Zip Fallon NV 89406

**Mail Tax Statements to:**

Name N/A

Address N/A

City/State/Zip N/A

**DOC # 448665**

09/23/2009

09 42 AM

**Official Record**

Requested By  
RICK LAWTON ESQ

**Lyon County - NV**  
**Mary C Milligan - Recorder**

Page 1 of 3 Fee \$16.00

Recorded By AT RPTT



0448665

UNOFFICIAL COPY

BY Plaintiff of Petition of Action  
**Title of Document**  
(Required Field)

**FILL IN ALL THAT APPLY**

The Undersigned Hereby Affirms That The Document Submitted For Recording Contains Personal Information As Required By Law\*

Specify Law\* \_\_\_\_\_ Signature \_\_\_\_\_

Specify Law\* \_\_\_\_\_ Print Name \_\_\_\_\_ Title \_\_\_\_\_

\*If there is no applicable State or Federal Law, Personal Information must be removed prior to recording

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Document # \_\_\_\_\_ recorded \_\_\_\_\_ (date) in the

Lyon County Recorder's Office

-OR-

If prepared by a surveyor, provide name and address

\_\_\_\_\_  
\_\_\_\_\_

\*Personal information\* means a natural person's first name or first initial and last name in combination with any one or more of the following data elements

- 1 Social security number
- 2 Driver's license number or identification card number
- 3 Account number credit card number or debit card number, in combination with any required security code, access code or password

This page added to provide additional information required by NRS 111 312 Sections 1-4  
(\$1.00 Additional Recording Fee Applies)



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Case No CI 20334

FILED

Dept No II

2009 SEP 23 AM 9:11

NIKKIA BRYAN  
LYON COUNTY CLERK

Andrea Andersen  
DEPUTY

The undersigned hereby affirms that this  
Document does not contain a social security no

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF LYON

SABRINA M. CAFFEY

Plaintiff,

vs

FIRST NATIONAL BANK OF NEVADA A  
NATIONAL BANK ASSOCIATION, BRITTIE  
AMOUROUX, individually, SONJA WALLIS,  
individually COUNTRYWIDE HOME LOANS,  
INC a New York corporation, COUNTRYWIDE  
FINANCIAL CORP, a Delaware corporation  
MERSCORP, INC a Virginia corporation,  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEM, INC, a subsidiary of MERSCORP,  
INC, a Delaware corporation, [MERS], BANK  
OF AMERICA CORPORATION, N.A;  
RECONTRUST COMPANY, N A, and  
DOES 1-25 CORPORATIONS, DOES and  
ROES 1-25 Individuals, [Partnerships, or  
anyone claiming any interest to the property  
described in the action

Defendants

NOTICE BY PLAINTIFF

OF PENDENCY OF ACTION

NOTICE IS HEREBY GIVEN that an action has been commenced

TO QUIET TITLE in the above-entitled Court by the 'above-named Plaintiffs' against  
the above-named Defendant to quiet the title for the premises and real estate in the

COPY

KICK LAWTON S LAW OFFICE



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Rick Lawton's Law Office

Complaint in said action, and hereinafter described, and to determine all and every claim, estate or interest therein of said Defendant, adverse to said Plaintiff, and the premises affected by this suit are situated in the County of Lyon, State of Nevada, and are more particularly described as follows

The action pertains to the following described property

Real property with improvements thereon, located in City of Fernley, County of Lyon, State of Nevada bounded and described as follows

Lot 176, as shown on the Final Map of ENNOR EAST SUBDIVISION PHASE 1 (dba COTTONWOOD ESTATES), recorded in the office of the County Recorder of Lyon County, Nevada, on August 20, 2004, as Document No 329041

APN 022-161-09

DATED This 17 day of September, 2009

RICK LAWTON, ESQUIRE  
Attorney at Law  
5435 Reno Hwy  
Fallon, Nevada 89406

By [Signature]  
RICK LAWTON, Esquire

**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office

DATE: September 23, 2009  
Nikki A. Bryan, County Clerk and Clerk of the Third Judicial District Court of the State of Nevada, in and for Lyon County.

By [Signature]  
Deputy